

# Notice of Allowability

Application No.

10/069,288

Examiner

Fenn C. Mathew

Applicant(s)

SLIMI, ALI

Art Unit

3764

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/29/2005.
2. ☒ The allowed claim(s) is/are 11 and 13-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

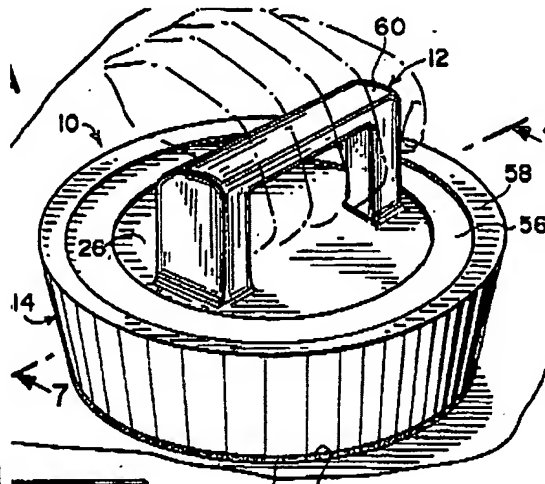
### Attachment(s)


1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 06/03/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

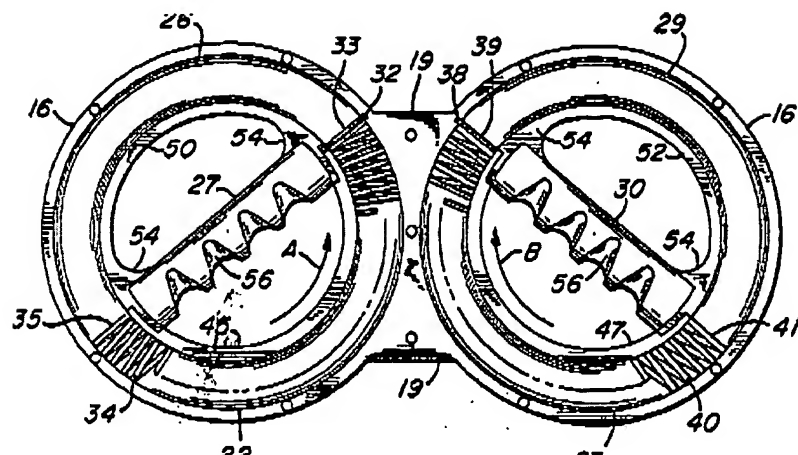
1. Claims 11 and 13-26 are allowed. The following is an examiner's statement of reasons for allowance: Prior art wrist and hand exercisers are known. Fuentes (U.S.



5,358,463) as pictured  teaches a device including a lower part (14) comprising a non-skipping means (22), a mobile upper part rotating relatively to the lower part, and means for coupling in rotation the respective upper and lower parts. Fuentes discloses the claimed limitations above including a hollow piece adapted to receive the palm of a user, but fails to teach recesses for the fingers of a user.

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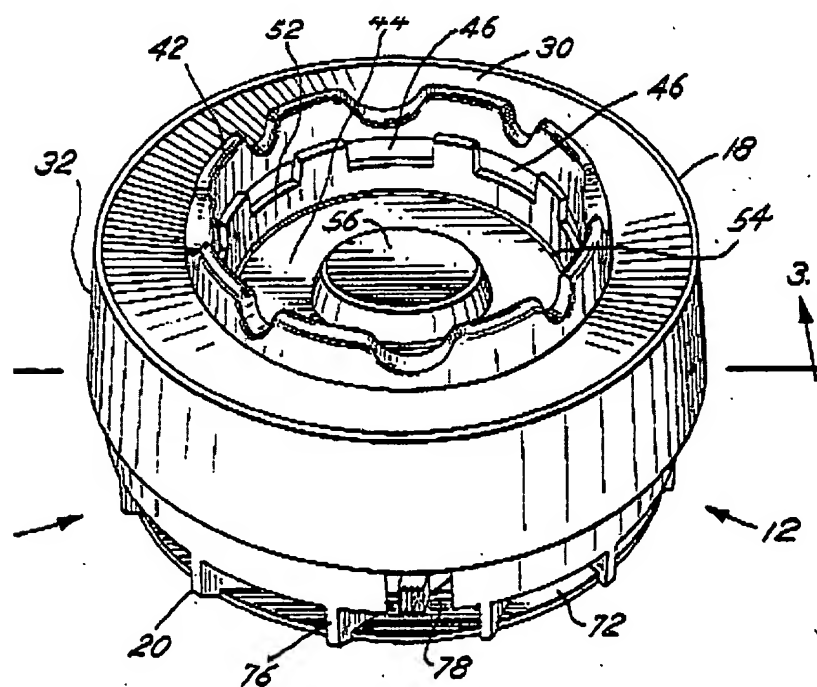
## 2. Wallisch (U.S. 4,770,409) as pictured



teaches a rotational wrist

exercising device including a gripping portion, and specifically teaches recesses extending beyond a central part adapted to receive fingers of a user. Wallisch fails to teach the protrusions aligned in a circular arc, and further fails to teach protrusions being shaped differently to correlate to the thumb versus the fingers of a user.

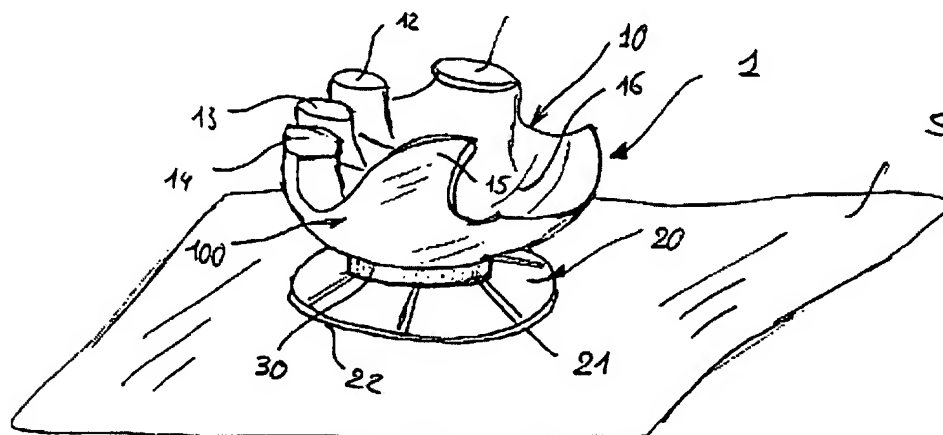
## 3. Grube (U.S. 4,580,582) as pictured



teaches a device including a

lower part (20) comprising non-skipping means (68), a mobile upper part (18) capable of rotating relatively to the lower part, and means for coupling the upper and lower parts (28), and further teaching a hollow central part (44), and a plurality of recesses formed by two main protrusions on opposite sides of the central part, and three protrusions located substantially in circle arc between the two main protrusions (see fig. 1). Grube fails to teach two of the protrusions having one shape and other protrusions having a different size/shape to adapt to the thumbs and fingers of a user.

4. The prior art of record fails to teach the device as pictured



including a lower part, and rotatably attached upper part including a hollow central part (16) conformed to receive a user's palm, recesses defined by main protrusions and interdigit protrusions arranged in a substantially circular arc, with the main protrusions having a different shape and size from the interdigit protrusions in order to accommodate the thumb versus the fingers of a user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C. Mathew whose telephone number is (571) 272-4978. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

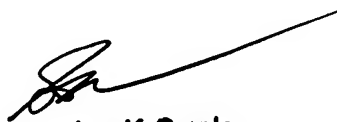
The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*fcm*

fcm

January 5, 2006



**Stephen K. Cronin**  
Primary Examiner